

VZCZCXR08164
RR RUEHMA RUEHPA
DE RUEHMV #0491 1161436
ZNR UUUUU ZZH
R 261436Z APR 07
FM AMEMBASSY MONROVIA
TO RUEHC/SECSTATE WASHDC 8453
INFO RUEHZK/ECOWAS COLLECTIVE

UNCLAS MONROVIA 000491

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STATE FOR AF/W-PDAVIS AND INR/AA-BGRAVES

E.O. 12958: N/A

TAGS: PGOV KCRM KJUS LI

SUBJECT: LIBERIA: UPDATE ON HIGH PROFILE CORRUPTION PROSECUTIONS

REF: A. A) MONROVIA 00353
1B. B) MONROVIA 00079
1C. C) 06 MONROVIA 1112

11. (U) The Supreme Court heard oral arguments April 24 on a motion filed by attorneys for former National Transitional Government of Liberia (NTGL) Chairman Guyde Bryant arguing that Bryant cannot be tried for "economic sabotage" (See Reftel A) because he enjoys immunity under Article 61 of the Constitution. Article 61 states: "The President shall be immune from any suits, actions or proceedings, judicial or otherwise, and from arrest, detention or other actions on account of any act done by him while President of Liberia pursuant to any provision of this Constitution or any other laws of the Republic. The President shall not, however, be immune from prosecution upon removal from office for the commission of any criminal act done while President." The government argued that Article 61 does not apply to Bryant since he was never elected President of the Republic of Liberia and that Article 61 does not provide immunity for a criminal act. The court is expected to hand down a ruling on this motion by May 11.

12. (U) In a second high profile corruption case, former Speaker of the House of Representatives Edwin Snowe was arrested April 12 and charged with theft of US 1 million dollars from the Liberia Petroleum Refining Company (LPRC), where he served as managing director between October 2003 and January 2006. Senator Richard Devine (COTOL - Bomi County), Snowe's deputy at LPRC, was also charged with theft. Snowe was released the same day of his arrest after he posted a US 1.8 million dollar bond. A hearing was held April 18 to determine the validity of the bond, which the government argued was invalid because the license to operate of the insurance company that underwrote the bond had expired. Snowe's attorneys filed additional documentation regarding the company's bona fides and the next step is for the Solicitor General to examine this documentation.
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